



CANNON BUILDING
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DEPARTMENT OF STATE

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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING MINUTES:	BOARD OF FUNERAL SERVICES
MEETING DATE AND TIME:	Tuesday, May 29, 2012, 10:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B , second floor of the Cannon Building
MINUTES APPROVED:	July 31, 2012

MEMBERS PRESENT

Chad Chandler, Professional Member, President
Harry Fletcher, Professional Member, Secretary
William Torbert, Professional Member
M.C. Byrd, Public Member
Danna Levy, Public Member

MEMBERS ABSENT

Robert O. Wright, Professional Member
Marceline Knox, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Patricia Davis-Oliva, Deputy Attorney General
Michele Howard, Administrative Specialist II

OTHERS PRESENT

Barbara Schoenberg
Joshua Schoenberg

CALL TO ORDER

Mr. Chandler called the meeting to order at 10:02 a.m.

REVIEW OF MINUTES

The Board reviewed the minutes of the March 27, 2012 meeting. Mr. Fletcher made a motion, seconded by Mr. Torbert, to approve the minutes as presented. The motion carried unanimously.

UNFINISHED BUSINESS

SIGN FINAL BOARD ORDER – RULES & REGULATIONS GOVERNING ADVERTISING

Ms. Davis-Oliva distributed the final order for Board signatures. Ms. Davis-Oliva will submit the final order to the Registrar to be posted in the July 1st Registry. The changes will take effect July 11, 2012. Ms. Davis-Oliva and Ms. Howard will contact the Delaware State Funeral Directors Association and the Delmarva Funeral Directors Association to make them aware that the Board has promulgated new rules and regulations governing advertising.

THE CONFERENCE 2012 ANNUAL MEETING, LITTLE ROCK, ARKANSAS – REPORT FROM MR. FLETCHER

Mr. Fletcher reported that he represented the Board at the 2012 Annual Meeting of The Conference in Little Rock, Arkansas, and thanked the Board and the State for allowing him to attend the meeting. Mr. Fletcher gave a brief summary of his trip, specifically noting the informative presentation given by Dale Atkinson.

FUNERAL ESTABLISHMENT INSPECTIONS – REVIEW DRAFT BILL FROM MS. DAVIS-OLIVA

Mr. Torbert made a motion, seconded by Mr. Fletcher to table the review of the draft bill regarding funeral establishment inspections until the next meeting. The motion carried unanimously.

Later in the meeting, Ms. Davis-Oliva distributed copies of the draft bill for the Board's review. Ms. Davis-Oliva reviewed the draft, and directed the Board to revisions on the third page of the draft. Ms. Davis-Oliva stated that if the bill passes, the Board will need to draft rules and regulations governing funeral establishment inspections. Ms. Byrd made a motion, seconded by Mr. Fletcher, to approve the draft as presented. The motion carried unanimously.

REQUEST FOR EXTENSION OF INTERNSHIP, TARYN E. HUBER – UPDATE FROM MS. HOWARD

Ms. Howard summarized the Board's previous decision regarding Ms. Huber's request for an extension of her internship, and reported that no response has been received by Ms. Huber since the Board notified her of its decision. Board members questioned the timeframe in which Ms. Huber can meet its contingency. After discussion, Mr. Fletcher made a motion, seconded by Ms. Byrd, that Ms. Huber must submit the required letter from her sponsor, Timothy M. Campbell, and complete her internship before March 27, 2013. The motion carried unanimously. Ms. Howard will send a letter to Ms. Huber clarifying the Board's decision.

NEW BUSINESS

RATIFICATION OF LICENSURE

Talana D. Watson, Funeral Director

Gary R. Newcomb, Limited License

Damian M. Bordell, Limited License

Angelo R. Marchesani, Limited License

Hari P. Close, Limited License

Ms. Byrd made a motion, seconded by Mr. Fletcher, to ratify the licensure of Talana D. Watson, Gary R. Newcomb, Damian M. Bordell, Angelo R. Marchesani, and Hari P. Close. The motion to ratify licensure carried unanimously.

REVIEW OF RESIDENT INTERN REPORTS None

REVIEW OF APPLICATIONS FOR LICENSURE

Schoenberg Memorial Chapel, Funeral Establishment Permit

Mr. Chandler, Mr. Fletcher, Mr. Torbert, Ms. Byrd and Ms. Levy reviewed the establishment permit application of Schoenberg Memorial Chapel. Ms. Byrd made a motion, seconded by Ms. Levy, to approve the application. The motion carried unanimously.

REVIEW OF APPLICATIONS FOR CONTINUING EDUCATION APPROVAL

Delaware State Funeral Directors Association (DSFDA)

After review and discussion, Mr. Fletcher made a motion, seconded by Ms. Levy, to approve the following as presented:

- DSFDA 2012 Convention, *Benefits & Entitlements, Dover's Mission* 3/22/12 – Approved for 2.0 CEUs
- DSFDA 2012 Convention, *Recruiting & Mortuary Affairs*, 3/22/12 – Approved for 1.0 CEU
- DSFDA 2012 Convention, *Forensic Medicine Relating to Death Investigation, Toxicology, Controlled Substances, Arson, DNA*, 3/22/12 – Approved for 2.0 CEUs
- DSFDA 2012 Convention, funeral vendors, 3/22/12 – 3/23/12 – Approved for 1.0 CEU

Mr. Fletcher's motion, seconded by Ms. Levy, also included the following to be approved contingent upon receipt of revised applications, acceptable to the Board, noting the correct course providers:

- *Acting on Cremation Challenges Together, AC2T by Options*, 3/22/12 – Approved for 2.0 CEUs contingent upon receipt of revised application, noting the correct course provider as Batesville.
- *Preneed Marketing*, 3/23/12 – Approved for 2.0 CEUs contingent upon receipt of revised application, noting the correct course provider as Complete Benefits Solutions, Inc.

The motion carried unanimously.

The Board discussed whether business meetings offer educational value. Mr. Torbert stated that he recently received a certificate of completion from the Delmarva Funeral Directors Association for attending an association meeting. Ms. Howard noted that Delmarva Funeral Directors Association has not submitted, nor been approved for any continuing education in the current licensure period. Mr. Torbert and Mr. Fletcher agreed that the Board should send a letter to the DE State Funeral Directors Association and the Delmarva Funeral Directors Association advising them of the process for receiving the Board's approval of continuing education credits. Ms. Howard will draft letters to both associations and attach a copy of the Board's current list of approved continuing education courses.

After further discussion, Mr. Torbert made a motion, seconded by Mr. Fletcher, to approve the following as presented:

- DSFDA Business Meeting, *Online Filing of Death Certificates*, 4/14/11 – Approved for 1.5 CEUs
- DSFDA Business Meeting, *Delaware Code Title 29, Victims Compensation Assistance Program*, 9/29/11 – Approved for 2.0 CEUs

Mr. Torbert's motion, seconded by Mr. Fletcher, also included the following denials:

- DSFDA Business Meeting, 2/9/12 – Denied for lack of educational value
- DSFDA Business Meeting, 1/19/11 – Denied for lack of educational value
- DSFDA Business Meeting, *Operations at Office of Insurance Commissioner*, 12/8/11 – Denied for unclear/incomplete application (The Board noted that the date and title of the presentation differed between the application form and the attached course outline.)

The motion carried unanimously.

CORRESPONDENCE FROM THE MARYLAND BOARD OF MORTICIANS & FUNERAL DIRECTORS RE COURTESY CARDS

Ms. Howard distributed copies of the letter for the Board members to review. After review, Ms. Davis-Oliva asked if there was anything in the letter that would prompt the Board to take any action. The Board agreed that no action was necessary. Ms. Byrd questioned the purpose of a Maryland Courtesy Card. Mr. Fletcher explained that a Maryland Courtesy Card allows an out-of-state funeral director to pick up a body in Maryland and transport it over state lines. He added that it does not allow an out-of-state funeral director to perform a burial or a funeral service in the state of Maryland.

COMPLAINT STATUS AND CONSENT AGREEMENTS

Complaint 27-05-10 (Wright) Pending Hearing Before DPR Hearing Officer

Complaint 27-06-10 (Chandler) Dismissed by Attorney General's Office

Complaint 27-01-11 (Fletcher) Pending Hearing Before DPR Hearing Officer

Complaint 27-02-12 (Fletcher) Closed by Investigator

Complaint 27-04-12 (Fletcher) Closed by Investigator

Mr. Chandler reported the statuses of each complaint listed above. Mr. Chandler questioned, and Ms. Davis-Oliva explained, the hearing officer process.

OTHER BUSINESS BEFORE THE BOARD (for discussion only)

None

PUBLIC COMMENT

None

NEXT MEETING

The next Board meeting will be held on Tuesday, July 31, 2012, at 10:00 a.m. in Conference Room B located on the second floor of the Cannon Building at 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business, Mr. Fletcher made a motion, seconded by Ms. Levy, to adjourn the meeting at 11:07 a.m. The motion to adjourn carried unanimously.

Respectfully submitted,

A handwritten signature in black ink that reads "Michele Howard". The signature is written in a cursive, flowing style.

Michele Howard
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.